

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA v. EDWIN RIVERA	Hon. Georgette Castner, U.S.D.J. Crim. No. 23-524 (GC) <u>ORDER</u>
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THIS MATTER comes before the Court upon Defendant Edwin Rivera's Motion to Suppress evidence seized by the Government from Defendant's vehicle on February 8, 2023. (ECF No. 30.) The Government opposed the Motion. (ECF No. 32.) The Court has carefully considered the parties' submissions and finds that an evidentiary hearing is necessary to determine the following issues: (1) whether law enforcement had reasonable suspicion to stop Defendant's vehicle, (2) whether law enforcement had probable cause to search Defendant's vehicle, and (3) whether Defendant consented to the search of his vehicle and, if so, the voluntariness of such consent. Accordingly,

IT IS on this 12th day of July 2024, **ORDERED** as follows:

1. By **July 19, 2024**, the parties shall file joint correspondence proposing at least two dates and times for the evidentiary hearing to take place no later than **August 23, 2024**.
2. The Court will conduct an evidentiary hearing on a date and time to be determined.

The parties shall adhere to the following parameters:

- a. The parties may introduce testimony and documentary evidence regarding the material factual issues in dispute.
- b. At least seven days prior to the hearing, the parties shall file a joint evidentiary hearing submission, which must include:
 - i. A list of proposed witnesses, including a summary of the anticipated

testimony of each witness and the anticipated length of testimony of each witness; and

ii. A summary of any issues the parties believe the Court should resolve prior to the hearing.

c. At least seven days prior to the hearing, the parties shall file correspondence indicating whether they require the use of the Court's audio-visual equipment or whether they intend to use their own equipment.

d. The Court will conduct a pre-hearing telephone conference on a date to be determined.

e. Within seven days after the hearing, the parties shall file joint correspondence regarding the necessity of supplemental briefing and propose a briefing schedule if such briefing is requested.

/s/ Georgette Castner

GEORGETTE CASTNER
UNITED STATES DISTRICT JUDGE